

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WENDY SHERMAN,

Plaintiff,

v.

Case No. 2:22-cv-4161
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

PUBLIC EMPLOYEES RETIREMENT
SYSTEM, et al.,

Defendants.

ORDER

This matter is before the Court on Defendants' Motion to Dismiss for Failure to Prosecute. (ECF No. 38.) Defendants note that Plaintiff has twice failed to appear for depositions. (*Id.* at PageID # 216.) Plaintiff is now proceeding *pro se*. (ECF No. 37.)

The Court **DENIES** without prejudice Defendants' Motion to Dismiss for Failure to Prosecute (ECF No. 38.) Defendants are hereby **ORDERED** to propose another date to depose Plaintiff. Should Plaintiff fail to confirm a date or fail to show up for her deposition again, Defendant shall notify the Court by filing a renewed Motion to Dismiss for Failure to Prosecute, and the Court will dismiss this case for lack of prosecution.

All case deadlines are hereby **STAYED**, and the Trial Schedule (ECF No. 32) is **VACATED**.

IT IS SO ORDERED.

12/12/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE